

ALVARADO
REALTY COMPANY

RECEIVED RECREATIONAL & PROPERTY MANAGEMENT & DEVELOPMENT

AUG 13 1999

FCC MAIL ROOM
August 10, 1999

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Ms. Magalie Roman Salas
Secretary
Federal Communications commission
445 12th Street SW – TW – A325
Washington, DC 20554

Re: Promotion of Competitive Networks in Local Telecommunications Markets, WT
Docket No. 99-217, Implementation of the Local Competition Provisions in the
Telecommunications Act of 1996, CC Docket No. 96-98

Dear Ms. Salas:

This letter is being sent in response to the FCC's Notice of Proposed Rulemaking released on July 7, 1999, regarding forced access to buildings. We enclose six (6) copies of this letter, in addition to the original.

We are concerned that any action by the FCC regarding access to private property by large numbers of communications companies may inadvertently and unnecessarily adversely affect the conduct of our business and needlessly raise additional legal issues. There are several other issues in the FCC notice that also raise concerns. Alvarado Realty Company is in both the residential and commercial real estate businesses. We own and manage fifteen (15) residential and commercial buildings in New Mexico and Colorado.

We strongly believe that the FCC need NOT take action in this area because we already address our tenants' demands for access to telecommunications. Further, the following issues are of concern to us:

- 1) FCC ACTION IS NOT NECESSARY – As a landlord, we must be sensitive and responsive to our tenants' needs, and telecommunications services are important to some of our tenants and we address those needs to stay competitive and successful.
- 2) NON DISCRIMINATORY ACCESS - There are dozens of providers but limited space in buildings. Only a few providers could reasonably install facilities in buildings, so in reality, NON DISCRIMINATORY ACCESS favors the first few entrants. This country has always been based on free market enterprise, and to try to establish a single set of rules takes away business owners' right to negotiate as well as their ability to control their property. Congress surely never meant to take away owners rights!

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3) EXPANSION OF DISH RULE – We oppose the existing rule because we do not believe Congress meant to interfere with an owners ability to manage their property. Also the FCC should not expand the satellite rule to include other services, because the law only applies to antennas used to receive video programming.

In summary, we urge the FCC to carefully consider any action it may take, and to NOT further erode the building owners' right to manage their properties. Thank you for your consideration of our concerns.

ALVARADO REALTY COMPANY

A handwritten signature in cursive script, appearing to read "Kemper".

Cindy Kemper, CPM®
Commercial/Residential Property Manager